

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

VICTOR BREEHNE,)
vs.)
Plaintiff,)
vs.) Case No. 1:07-cv-01171-JDB
BLACK & DECKER (U.S.) INC.,)
Defendant.)

**NOTICE OF SETTLEMENT AND REQUEST FOR ENTRY OF CONSENT ORDER OF
DISMISSAL WITH PREJUDICE PURSUANT TO FED. R. CIV. P. 41(a)(1)**

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff Victor Breehne and Defendant Black & Decker (U.S.) Inc., hereby stipulate, consent and agree that the Plaintiff's claims should be dismissed with prejudice. The parties respectfully request entry of a Consent Order of Dismissal with Prejudice, and they are providing such a proposed order to the Court.

Respectfully submitted,

GILBERT RUSSELL MCWHERTER, PLC
101 North Highland
Jackson, Tennessee 38301
Telephone: (731) 664-1340
Telefax: (731) 667-1540
jgilbert@gilbertfirm.com

FORD & HARRISON, LLP
795 Ridge Lake Blvd., Suite 300
Memphis, Tennessee 38120
Telephone: (901) 291-1500
Telefax: (901) 291-1501
kpascover@fordharrison.com

By: s/Justin Gilbert
Justin Gilbert #017079

Attorney for Plaintiff Victor Breehne

By: s/Kathryn W. Pascover
Kathryn W. Pascover #10280

Attorney for Defendant Black & Decker (U.S.) Inc. d/b/a Porter Cable

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was forwarded via the Court's electronic filing system to Justin Gilbert, Esq., Gilbert Russell McWherter, PLC, 101 North Highland, Jackson, Tennessee 38301 this 25th day of August 2008.

s/Kathryn W. Pascover